

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHARON JENSEN,

Plaintiff,

Case No. C08-0016 MJP

V.

13 IPEX USA, INC., a Washington corporation; IPEX
14 USA, LLC, A Washington corporation; IPEX USA,
15 INC., a Delaware corporation; IPEX USA LLC, a
Delaware corporation; IPEX, INC., a Michigan
corporation; and JOHN DOE CORPORATIONS 1-
30.

Defendants.

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION

This matter comes before the Court on Plaintiff's motion for reconsideration (Dkt. No. 79) of this Court's order dismissing Leonid Dubinsky's claims. For the reasons set forth below, the Court DENIES Plaintiff's motion.

21 On October 27, 2008, this Court issued an order granting Defendants' motion to strike
22 Leonid Dubinsky as a class representative and dismiss his claims. (Dkt. No. 72.) In that
23 order, the Court determined that Dubinsky lacked standing to pursue claims against
24 Defendants. (*Id.* at 9.) Plaintiffs now ask for reconsideration of that order arguing that the
25 Court had sufficient evidence to determine Dubinsky suffered a present injury. (Dkt. No. 79
26 at 3.)

1 Motions for reconsideration are disfavored. CR 7(h). Absent either a showing of
2 manifest error or new facts or law that could not have been brought to the Court's attention
3 earlier, the Court will generally deny motions for reconsideration. *Id.* Plaintiff has offered no
4 new facts or law. The observations of Dubinsky's pipe demonstrate that Dubinsky's pipe is
5 functioning properly. (Dubinsky Dep. at 27:9-10.) Plaintiff's testing of piping in Jensen's
6 home is not enough to confer standing for Dubinsky. Thus, the Court does not believe its
7 order presents any manifest error.

8 The Court DENIES Plaintiff's motion for reconsideration. The Clerk is directed to
9 send a copy of this order to all counsel of record.

10 DATED this 26th day of November, 2008.

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12 s/Marsha J. Pechman
13 Marsha J. Pechman
14 UNITED STATES DISTRICT JUDGE
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